

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Robert E. Fischell, et al.

Group

Serial No: 10/717,470

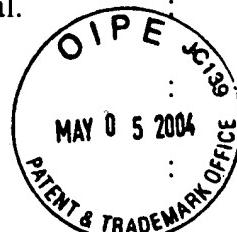
Art Unit # 3731

Filed: 21 November 2003

Examiner:

Title: STENT WITH OPTIMAL  
STRENGTH AND RADIOPACITY  
CHARACTERISTICS

Unknown

**INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicants wish to make the following art references of record in the above-identified Patent Application pursuant to 37 C.F.R. §§ 1.97 and 1.98, and to the Duty of Disclosure set forth in 37 C.F.R. § 1.56

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject Patent Application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search was made or that no other material information, as defined in 37 C.F.R. § 1.56(b), exists.



I. The cited Patent references are:

<u>Ref. No.</u>	<u>Patent No.</u>	<u>Issue Date</u>	<u>Inventor(s)</u>
A	359,802	6/27/1995	Fontaine A.
B	3,657,744	4/25/1972	Ersek, R.
C	4,441,216	4/10/1984	Ionescu et al.
D	4,503,569	3/12/1985	Dotter, C.
E	4,553,545	11/19/1985	Maass et al.
F	4,580,568	4/8/1986	Gianturco, C.
G	4,733,665	3/29/1988	Palmaz, J.
H	4,776,337	10/11/1988	Palmaz, J.
I	4,800,882	1/31/1989	Gianturco, C.
J	4,856,516	8/15/1989	Hillstead, R.
K	4,886,062	12/12/1989	Wiktor, D.
L	4,907,336	3/13/1990	Gianturco, C.
M	4,969,458	11/13/1990	Wiktor, D.
N	4,990,131	2/5/1991	Dardik et al.
O	4,990,155	2/5/1991	Wilkoff, H.
P	4,994,071	2/19/1991	MacGregor, D.
Q	5,015,253	5/14/1991	MacGregor, D.
R	5,035,706	7/30/1991	Gianturco et al.
S	5,041,126	8/20/1991	Gianturco C.

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T	5,064,435	11/12/1991	Porter, C
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X	5,122,154	6/16/1992	Rhodes, V.
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AA	5,135,536	8/4/1992	Hillstead R.
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AE	5,178,618	1/12/1993	Kandarpa, K.
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AH	5,217,483	6/8/1993	Tower, A.
AI	5,222,971	6/29/1993	Willard et al.
AJ	5,246,445	9/21/1993	Yachia et al.
AK	5,258,021	11/2/1993	Duran, C.
AL	5,266,073	11/30/1993	Wall, W.
AM	5,275,622	1/4/1994	Lazarus et al.
AN	5,282,823	2/1/1994	Schwartz et al

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AP	5,290,305	3/1/1994	Inoue, K.
AQ	5,292,331	3/8/1994	Boneau, M.
AR	5,304,200	4/19/2004	Spaulding, R.
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BL	5,411,549	5/2/1995	Peters, J.
BM	5,421,955	6/6/1995	Lau et al.
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BP	5,441,516	8/15/1995	Wang et al.
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BU	5,449,372	9/12/1995	Schmaltz et al.
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BZ	5,569,295	10/29/1996	Lam, S.
CA	5,591,197	1/7/1997	Orth et al.
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CC	5,643,312	7/1/1997	Fischell et al.
CD	5,649,952	7/22/1997	Lam, S.

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CF	5,669,924	9/23/1997	Shaknovich, A.
CG	5,697,971	12/16/1997	Fischell et al.
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CO	5,935,162	8/10/1999	Dang
CP	6,190,403	2/20/2001	Fischell et al.
CQ	6,231,598	5/15/2001	Berry et al.

II      **The cited foreign references are:**

<u>Ref. No.</u>	<u>Publication No.</u>	<u>Inventor/Applicant</u>	<u>Publication Date</u>
A1	DE / 32 05 942 / A1	Seibert, R.	9/8/1983
B1	EP / 0 540 290 / A3	Lau et al.	5/5/1993
C1	EP / 0 734 698 / B1	Variomed AG	8/12/1998
D1	EP / 0 800 801 / A1	Limon et al	10/15/1997
E1	EP / 0 830 853 / A1	Richter, J.	3 /25/1998

<u>Ref. No.</u>	<u>Publication No.</u>	<u>Inventor/Applicant</u>	<u>Publication Date</u>
F1	EP / 0 540 290 / A2	Lau et al.	5/5/1993
G1	FR / 566 807	Yarrow, H.	2/21/1924
H1	GB / 1 205 743 / A5R	Didcott, C.	9/16/1970
I1	GB / 0 662 307 / A2	Cleveland Punch	12/5/1951
J1	WO / 96/26689 / A1	Brown et al.	9/6/1996
K1	WO / 96/34580 / A1	Dibie, A.	11/7/1996
L1	WO / 97/25000 / A1	Chuter, T.	7/17/1997
M1	WO / 98/19628 / A1	Vardi et al	5/14/1998
N1	EP / 0 824 900 / A2	Advanced Cardio	2/25/1998
O1	EP / 0 916 317 / A1	Medinol Ltd.	5/19/1999
P1	WO / 01/00112 / A1	Padilla et al.	1/4/2001

This Information Disclosure Statement is being filed more than three months subsequent to the filing date of the subject Patent Application, but before the mailing of a first Office Action.

A Form PTO-1449 and copies of the references are submitted along with this document. It is requested that the Examiner consider the references and make them a record in the above-referenced Patent Application.

Respectfully submitted,  
FOR: ROSENBERG, KLEIN & LEE



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Registration No. 33,253

Dated: 4 May 2004

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MAY 05 2004

PTO/SB/08 (10-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1

of 5

Application Number	10/717/470
Filing Date	11/21/2003
First Named Inventor	R. Fischell et al.
Art Unit	3731
Examiner Name	

Attorney Docket Number MR1811-48/DIV

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A	US- 359,802		6/27/1995	Fontaine A.	
B	US- 3,657,744		4/25/1972	Ersek, R.	
C	US- 4,441,216		4/10/1984	Ionescu et al.	
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H	US- 4,776,337		10/11/1988	Palmaz, J.	
I	US- 4,800,882		1/31/1989	Gianturco, C.	
J	US- 4,856,516		8/15/1989	Hillstead, R.	
K	US- 4,886,062		12/12/1989	Wiktor, D.	
L	US- 4,907,336		3/13/1990	Gianturco, C.	
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P	US- 4,994,071		2/19/1991	MacGregor, D.	
Q	US- 5,015,253		5/14/1991	MacGregor, D.	
R	US- 5,035,706		7/30/1991	Gianturco et al.	
S	US- 5,041,126		8/20/1991	Gianturco, C.	

## FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
A1	DE / 32 05 942 / A1		9/8/1983	Seibert, R.		
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C1	EP / 0 734 698 / B1		8/12/1998	Variomed AG		
D1	EP / 0 800 801 / A1		10/15/1997	Limon et al		
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet **12**of **5**

Application Number	10/717/470
Filing Date	11/21/2003
First Named Inventor	R. Fischell et al.
Art Unit	3731
Examiner Name	

Attorney Docket Number **MR1811-48/DIV****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
T	US-	5,064,435	11/12/1991	Porter, C.	
U	US-	5,102,417	4/7/1992	Palmaz, J.	
V	US-	5,104,404	4/14/1992	Wolff, R.	
W	US-	5,116,365	5/26/1992	Hillstead, R.	
X	US-	5,122,154	6/16/1992	Rhodes, V.	
Y	US-	5,131,908	7/21/1992	Dardik et al.	
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AJ	US-	5,246,445	9/21/1993	Yachia et al.	
AK	US-	5,258,021	11/2/1993	Duran, C.	
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K1	WO	/ 96/34580 / A1	11/7/1996	Dibie, A.		
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Examiner Signature		Date Considered
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AM	US- 5,275,622		1/4/1994	Lazarus et al.	
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M1	WO / 98/19628 / A1		5/14/1998	Vardi et al		
N1	EP / 0 824 900 / A2		2/25/1998	Advanced Cardio		
O1	EP / 0 916 317 / A1		5/19/1999	Medinol Ltd.		
P1	WO / 01/00112 / A1		1/4/2001	Padilla et al.		
Q1						
R1						

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 15

of 5

**Complete if Known**

Application Number	10/717/470
Filing Date	11/21/2003
First Named Inventor	R. Fischell et al.
Art Unit	3731
Examiner Name	

Attorney Docket Number MR1811-48/DIV

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

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